



266.000100.1 (Formerly JJ-10 072-1-1US)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: D. Ware
JEFFREY KENT FREDENBURGH ET AL.)	:	
	:	Group Art Unit: 1651
Application No.: 10/626,537)	
	:	
Filed: July 25, 2003)	
	:	
For: ODOR CONTROL AGENT)	September 2, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of these documents are enclosed.

Specifically, enclosed in their entirety are documents filed by Novozymes Biologicals, Inc. on August 18, 2005, August 19, 2005 and August 25, 2005 in the opposition of European Patent No. 1 096 959 B1, which issued from the European national phase of grandparent International Application No. PCT/CA99/00628. These documents include declarations alleging prior sales of *Bacillus* spores for deodorizing carpets, including Bi-Chem® GC 600L, Bi-Chem® MSB and Bi-Chem® Bioclean, as well as copies of the alleged formulations of these products. Applicants do not admit that any of the documents filed by Novozymes Biologicals, Inc. and/or information contained therein is prior art.

In addition, the Examiner's attention is directed to the following U.S. Patent Application:

<u>APPLICATION NO.</u>	<u>FILING DATE</u>	<u>GROUP ART UNIT</u>
09/743,757	July 13, 1999	1771

Since it is Applicants' understanding that this application is stored in the U.S. Patent and Trademark Office's IFW system, a copy thereof is not enclosed due to a sua sponte waiver of 37 C.F.R. § 1.98(a)(2)(iii).


CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

It is Applicants' understanding that no fee is due in connection with this Information Disclosure Statement. However, should such a fee be deemed necessary, it may be charged to Deposit Account 06-1205. Any overpayment should be credited to the same Deposit Account.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

03266.000100.1

APPLICATION NO.

10/626,537

APPLICANT

Jeffrey Kent Fredenburgh et al.

FILING DATE

July 25, 2003

GROUP

1651

LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER PATENT AND TRADEMARK OFFICE	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,946,672	08/07/90	Gibbs	424	76.1	

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

Response to Summons in Opposition by Novozymes Biologicals, Inc. in European Patent No. 1 096 959 B1 with attached Declarations and Exhibits (139 pages) (August 2005).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 1